

CONSERVATORSHIP CALENDAR NOTES

April 2, 2013

2:30 p.m., Department 40

Updated March 29, 2013, 1:00 p.m.

Note: Due to the court holiday on April 1, 2013, no further updates will be posted.

The following are the Conservatorship Calendar Notes for the conservatorship calendar set for hearing April 2, 2013, 2:30 p.m. in Department 40, Commissioner Michael A. Jacques, presiding. Department 40 is located at 10820 Justice Center Drive, Roseville, California, in the Santucci Justice Center.

If a verified petition on an accounting or attorney fees is recommended for approval, no appearance is required. For all other matters, appearances are required. If you have questions regarding the following calendar notes, please contact the probate research attorney at (916) 408-6119. Do not contact Department 40 directly.

IF THE CALENDAR NOTES STATE THAT A DOCUMENT IS MISSING AND YOU HAVE A FILE-ENDORSED COPY OF THAT DOCUMENT, PLEASE FAX A COURTESY COPY OF THAT DOCUMENT TO (916) 408-6275. THE COURT DOES NOT ACCEPT DIRECT FAXES FOR FILING. ANY UNFILED DOCUMENT FAXED TO THIS LINE WILL NOT BE FILED.

Updated calendar notes will ordinarily be posted on the court day prior to the hearing. Please do not call the probate research attorney regarding the status of calendar notes until after checking for any updated notes.

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- 1. S-PR-0004511 Thornburg, Linda M. - In Re the Conservatorship of**

Appearance required for hearing on conservatorship accounting.

- 2. S-PR-0005955 Muzette, Susan I. - In Re the Conservatorship of**

Appearance is required for hearing on accounting / petition for resignation and petition for appointment of successor conservator. The accounting and fees are recommended for approval as prayed.

- 3. S-PR-0006445 Greer, Catherine - In Re the Conservatorship of**

The final account and report is recommended for approval as prayed.

- 4. S-PR-0006483 Barry, Noreen - In Re the Conservatorship of**

Appearance required for hearing on petition to terminate guardianship of person and estate and other relief.

5. S-PR-0006546 Ryan, John Barry - In Re the Conservatorship of

The petition for attorney fees is recommended for approval as prayed.

6. S-PR-0006779 McKnight, Earnestine Marie - In Re the Conservatorship of

Appearance required for hearing on petition for appointment of conservator of person and estate.

Request for §§ 2590-2591: there is showing that any requested powers will benefit the estate. Powers will not be granted merely for the convenience of conservator. This request should be denied.

Request for § 2352(b) powers: these powers are automatically granted, and court approval is not required. See also § 2352(e)(3). It appears that respondent's residence is already petitioner's home. This request should be denied.

Request for § 2355 powers: medical decisional authority is supported by the medical capacity declaration. Upon a finding that the respondent lacks capacity to make health care decisions, this power is automatically granted. There is no need for a special grant of this power (see ¶ 23 of form order, GC-340).

Reservation of § 2357 powers: subdiv. (a) does not contain any powers; subdiv. (b) provides for a petition to request orders regarding care. There is no need to "reserve" these powers to conservator and any order "reserving" them should be denied.

7. S-PR-9919437 Claiborne, Susan Jane, In re the Conservatorship of

Appearance is required for hearing on eleventh account.

The May 2011 order approving the tenth account required the deposit of \$76,000 into a blocked account, with a receipt to be filed within 30 days. The receipt was not filed until January 2013, 21 months later, and indicates the funds were deposited into an account opened in 2002. The account financial statements show four withdrawals from the blocked account from May 2011 through December 2011. The court has never authorized withdrawals from the blocked account. Clarification is needed.

The court has reviewed the response by counsel. It is unclear whether counsel's letter intended to convey that the accounting is somehow inaccurate or incomplete.